

## School Bus Safety Guidelines and Best Practices – 2019

### Introduction

From October 26, 2018 through November 1, 2018, our nation experienced a string of tragic crashes at bus stops resulting in six K-12 students being killed, and five students and two adults being injured. Three of these fatalities happened to students in Rochester, Indiana on Tuesday, October 30, 2018. As a result of this tragedy, Senate Enrolled Act (SEA) 2 was signed into law. One of the requirements of SEA 2 requires the state school bus committee, in consultation with the Indiana Department of Education (IDOE), develop and post on IDOE's Internet website school bus safety guidelines or best practices. These guidelines or best practices must include procedures to prevent students from entering a roadway until approaching traffic has come to a complete stop.

- **Bus Stops**

One change included in SEA 2 states that at bus stops on U.S. or state routes (highways), outside of city limits, students will no longer be allowed to cross the street to board the bus unless no other safe alternatives are available. Additionally, this law mandates that on any road, other than a U.S. or state route outside of city limits, the student shall be loaded/unloaded as close as practicable to the right-hand curb or edge of the roadway. The "far right as practicable" statement was in law until 2015 and has always been a best practice recommendation to provide a protected area to the right of the bus for students to load and unload.

#### **IC 9-21-12-20**

**Sec. 20. (a) Except as provided in subsection (b), when a school bus is operated on a:**

**(1) U.S. route or state route, the driver may not load or unload a student at a location that requires the student to cross a roadway unless no other safe alternatives are available; and**

**(2) street or highway other than a U.S. route or state route, the driver shall load and unload a student as close to the right-hand curb or edge of the roadway as practicable.**

**(b) Subsection (a)(1) does not apply to a location on a U.S. route or state route that is within the boundary of a city or town.**

If no other safe alternative exists and an elementary student (see definition below) must cross the road to board the bus on U.S. or state routes (highways), outside of city limits, then the school board must approve the allowance for the elementary student to cross. This allowance should be avoided if at all possible and this circumstance should be exceedingly rare.

#### **IC 9-21-12-20.5**

**Sec. 20.5. (a) As used in this section, "elementary school"**

**(1) has the meaning set forth in IC 20-18-2-4; and**

**(2) includes public elementary schools and accredited nonpublic elementary schools.**

**(b) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5.**

**(c) If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or state route as described in section 20(a)(1) of this chapter, the superintendent or the superintendent's designee shall present the school bus route described in this subsection to the governing body for approval.**

#### **IC 20-18-2-4 "Elementary school"**

**Sec. 4. "Elementary school" means any combination of kindergarten and grades 1, 2, 3, 4, 5, 6, 7, or 8.**

With the exception of the bus stop on a U.S. or state route outside of city limits and the far right as practicable requirement, bus stop locations are strictly a local district decision; there is nothing in law or regulation that addresses where a bus stop should be located. This makes the task of setting or reviewing bus stop locations a very difficult undertaking. When setting or reviewing bus stop locations, schools should consider the following:

- a) School buses must never block intersections and must follow the law with regard to the use of the right half of the road, as detailed below.

**IC 9-21-8-2 Roadways, use of the right half; exception; traveling at reduced speeds**

**Sec. 2. (a) Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway except as follows:**

**(1) When overtaking and passing another vehicle proceeding in the same direction under the rules governing overtaking and passing.**

**(2) When the right half of a roadway is closed to traffic under construction or repair.**

**(3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable to a roadway divided into three (3) marked lanes.**

**(4) Upon a roadway designated and signposted for one-way traffic.**

**(b) Upon all roadways, a vehicle proceeding at less than the normal speed of traffic at the time and place under the conditions then existing shall be driven:**

**(1) In the right-hand lane then available for traffic; or**

**(2) as close as practicable to the right-hand curb or edge of the roadway; except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.**

**(c) Upon all roadways, a motor driven cycle shall be driven as close as practicable to the right-hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.**

IC 9-21-16-5 offers additional prohibitions against school buses blocking intersections; please see below.

**IC 9-21-16-5 Avoiding conflict with traffic or law enforcement officers; directions of police officers or traffic control devices**

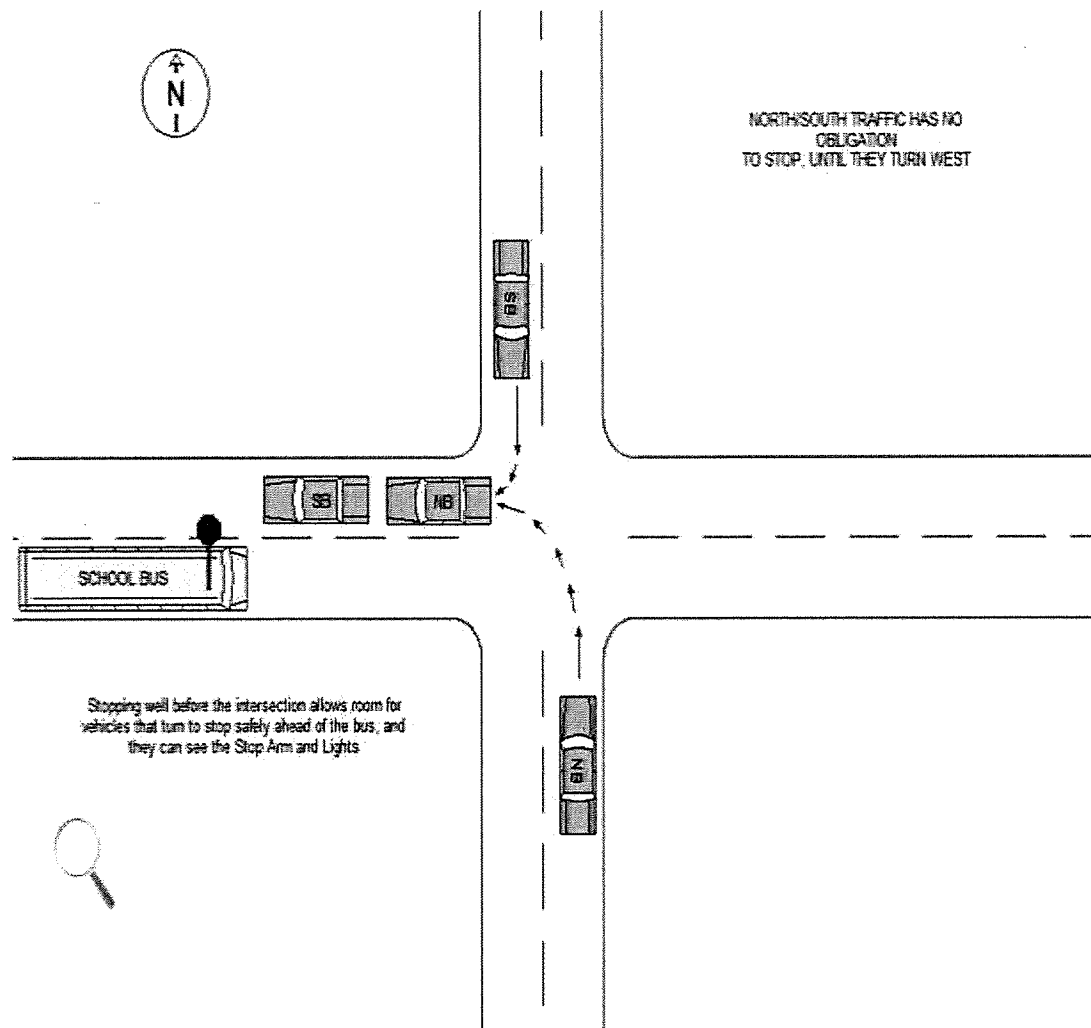
**Sec. 5. A person may not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or to avoid conflict with the law or the directions of a police officer or traffic control device, in any of the following places:**

- (1) On a sidewalk.**
- (2) In front of a public or private driveway.**
- (3) Within an intersection.**
- (4) Within fifteen (15) feet of a fire hydrant.**
- (5) On a crosswalk.**
- (6) Within twenty (20) feet of a crosswalk at an intersection.**
- (7) Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway.**
- (8) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the traffic authority indicates a different length by signs or markings.**
- (9) Within fifty (50) feet of the nearest rail of a railroad crossing.**
- 10) Within twenty (20) feet of the driveway entrance to a fire station and, on the side of a street opposite the entrance to a fire station, within seventy-five (75) feet of the entrance (when properly sign posted).**
- 11) Alongside or opposite a street excavation or obstruction if stopping, standing, or parking would obstruct traffic.**
- 12) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.**
- 13) Upon a bridge or other elevated structure upon a highway or within a highway tunnel.**

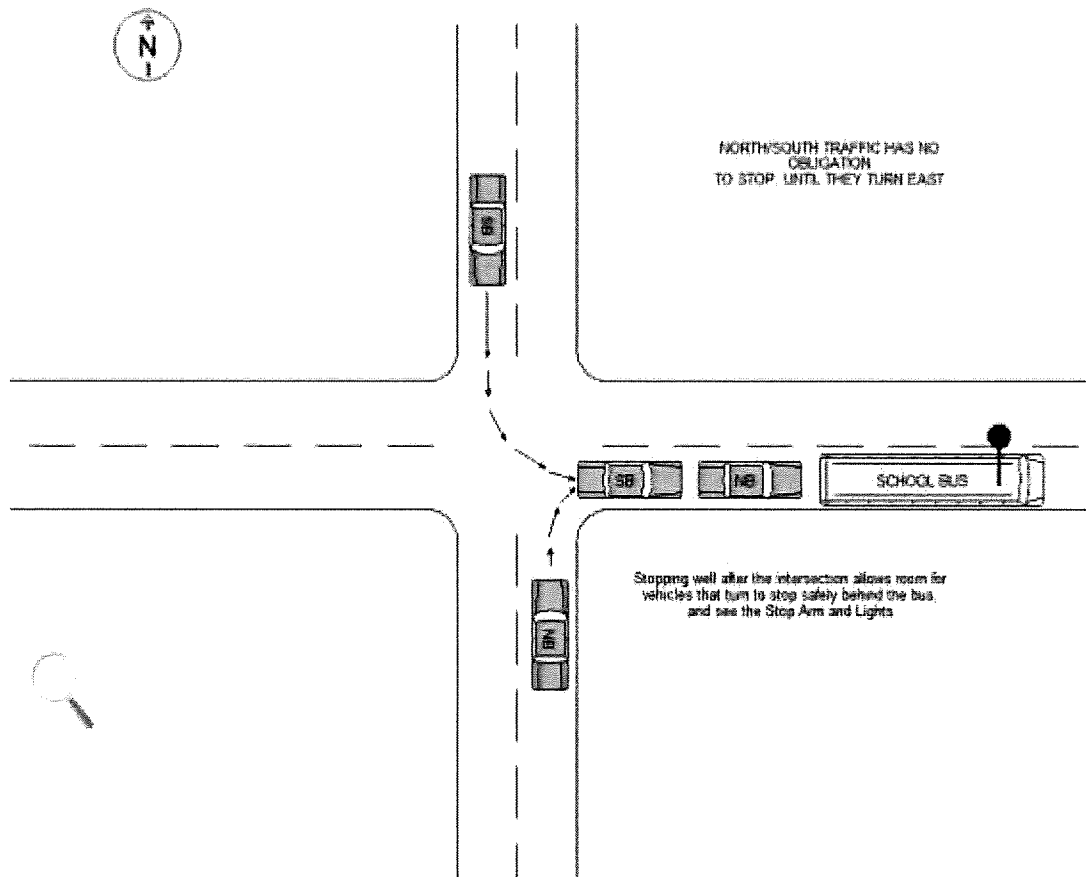
14) At any place where official signs prohibit stopping.

b) Below are two examples of best practice for school bus stops.

**Bus stopped before the intersection**



Bus stopped after the intersection



- c) Additional items to consider when reviewing or selecting bus stops include:
- 1) Crossing students to load or unload students should be avoided if at all possible, particularly for the following:
    - a. High speed roads at or above 40 mph;
    - b. Multiple lane roads (more than one lane in each direction);
    - c. Obstructed views – blind curves, hills, valleys;
    - d. Roads with wide shoulders.
  - 2) Students' ability to walk to the bus stop safely must be assessed, such as:
    - a. Are sidewalks available?
    - b. Is street lighting available and appropriate?
    - c. Are students forced to pass at or near documented sexual predator residences?
    - d. Are students crossing at intersections?
  - 3) Is the bus properly positioned in the roadway at the bus stop beyond the situations already covered? For example, ask the following questions:
    - a. If there is a turn lane to the right, is the bus in that turn lane for the bus stop?
    - b. If it is a one way street, is the bus all the way to the right, which is best practice "as far right as practicable"?
    - c. Is there enough room for the student to load and unload the bus without stepping into a ditch?

- **Training Bus Drivers**

One of the most important things any school corporation can do to keep students safe is to ensure their bus drivers are appropriately trained. These drivers can then train their students about bus safety practices.

The following is a list of items on which bus drivers should be trained:

- 1) Students should always stand at least 20 feet away from the bus stop.
- 2) Students should always be waiting at the bus stop before the bus arrives at its scheduled time, which means that the bus driver should be on time as well.
- 3) There should be no horseplay at the bus stop.
- 4) Drivers should only pickup and drop-off at district designated bus stops.
- 5) If students are crossing they should always be loaded and unloaded first.

- 6) Students should never board the bus, or cross the street, unless signaled to do so by the driver. All drivers in a district must use the same hand signal to let students know when to load or cross.
- 7) Students crossing the road at the bus should be held on the bus until all traffic has definitively come to a stop.
- 8) If students are crossing it is recommended they stand in front of the bus far enough that the driver can see the feet of all of the students.
- 9) Drivers should reinforce proper crossing procedures constantly.
- 10) **Drivers must report any bus stops that they consider to be unsafe!**

- **Consequences to Drivers**

There are penalties for drivers who ignore laws designed to keep students safe on school buses; please see below.

**IC 9-21-12-1 Arm signal device; duty to obey; presumption**

**Sec. 1. (a) A person who drives a vehicle that:**

**(1) meets or overtakes from any direction a school bus stopped on a roadway and is not stopped before reaching the school bus when the arm signal device specified in IC 9-21-12-13 is in the device's extended position; or**

**(2) proceeds before the arm signal device is no longer extended; commits a Class A infraction.**

**(b) In addition to any other penalty imposed under this section, the court may suspend the person's driving privileges:**

**1) For ninety (90) days; or**

**2) If the person has committed at least one (1) previous offense under this section or IC 9-21-8-52 (b), for one (1) year.**

**(c) This section is applicable only if the school bus is in substantial compliance with the markings required by the state school bus committee.**

**(d) There is a rebuttable presumption that the owner of the vehicle involved in the violation of this section committed the violation. This**



**presumption does not apply to the owner of a vehicle involved in the violation of this section if the owner routinely engages in the business of renting the vehicle for periods of thirty (30) days or less.**

- **Annual Review of School Bus Routes and Safety Policies**

SEA 2 requires each school corporation, charter school, and accredited nonpublic school that provides transportation for students to “review the school’s school bus routes and school bus safety policies to improve the safety of students and adults.”

**IC 20-27-10-0.5 Annual review of school bus routes and school bus safety policies; information on Internet web site**

Sec. 0.5. (a) On or before September 1, 2019, and each September 1 thereafter, each school corporation, charter school, and accredited nonpublic school that provides transportation for students must review the school's school bus routes and school bus safety policies to improve the safety of students and adults.

(b) The state school bus committee, in consultation with the department, shall develop and post on the department's Internet web site school bus safety guidelines or best practices. The guidelines or best practices must include procedures to be taken to ensure that students do not enter a roadway until approaching traffic has come to a complete stop.

- **Additional Resources**

Should you have any questions about this document or any other school transportation related issue please do not hesitate to contact the Office of School Transportation at the numbers listed below:

Office of School Transportation Main Line	317-232-0890
Lisa Callihan, Training and Support Specialist	317-232-1377
Michael LaRocco, Director of School Transportation	317-232-0891
Reggie White, Transportation Training Specialist	317-234-7215

Additional resources include:

**National Congress on School Transportation (NCST)** National School Transportation Specification and Procedures - <http://www.ncstonline.org/>

**National Association of State Directors of Pupil Transportation Services (NASDPTS)** - <https://nasdpts24.wildapricot.org/Position-Papers>

**National Association for Pupil Transportation (NAPT) - <https://www.napt.org/>**

**Safe Routes to School -**

[http://guide.saferoutesinfo.org/school\\_bus\\_locations/determining\\_school\\_bus\\_stop\\_locations.cfm](http://guide.saferoutesinfo.org/school_bus_locations/determining_school_bus_stop_locations.cfm)

**National Highway Safety Administration (NHTSA) -**

<https://www.nhtsa.gov/road-safety/school-bus-safety>

**Uniform Guidelines for State Highway Safety Programs – Select Number 17  
Pupil Transportation Safety -**

<https://icsw.nhtsa.gov/nhtsa/whatsup/tea21/tea21programs/>